

CLERK'S OFFICE U.S. DIST. COURT
AT LYNCHBURG, VA
FILED

MAY 27 2010

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION

JOHN F. CORCORAN, CLERK
BY: *[Signature]*
DEPUTY CLERK

WILLIAM WALLACE SMITH, III,

Plaintiff,

v.

VIRGINIA MILITARY INSTITUTE, ET AL.,

Defendants.

CIVIL ACTION No. 6:09-cv-00053

ORDER

JUDGE NORMAN K. MOON

For the reasons stated in the accompanying memorandum opinion, Defendant's motion to dismiss (docket no. 7) is GRANTED, and the matter is STRICKEN from the active docket of the court.*

The Clerk of the Court is directed to send a certified copy of this order and the accompanying memorandum opinion to all counsel of record and to the pro se plaintiff.

It is so ORDERED.

Entered this 27th day of May, 2010.

[Signature: Norman K. Moon]
NORMAN K. MOON
UNITED STATES DISTRICT JUDGE

* As noted in the accompanying memorandum opinion, to the extent the complaint could be construed to state an actionable claim against the defendants under state law, I decline to exercise supplemental jurisdiction over such claims, pursuant to 28 U.S.C. § 1367(c).